

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

BEVERLY MARTIN

V.

GALVESTON SHERIFF'S DEPARTMENT,
ET AL.

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CIVIL ACTION NO. G-06-524

REPORT AND RECOMMENDATION


On August 4, 2006, Beverly Martin filed this civil rights action complaining of a false arrest and a deprivation of her property which occurred on August 2, 2004. Because Martin was proceeding *pro se* her complaint was brought to the attention of this Court as has been the practice in this Division for over 15 years. After an examination of Martin's complaint it appeared, on its face, that her claims were barred by the 2 year statute of limitations; therefore, the Court scheduled a Hearing for September 1, 2006, to give Martin an opportunity to convince the Court that she should be allowed to proceed without payment of costs. Martin objected to this Court's involvement with her complaint and she failed to appear for the Hearing.

Under the circumstances, it is the **RECOMMENDATION** of this Court that Martin's Complaint, entitled "Request for Compensation" be **DISMISSED** by the District Court for want of prosecution.

The Clerk **SHALL** send a copy of this Report and Recommendation to the Plaintiff who **SHALL** have until **September 18, 2006** in which to have written objections, filed pursuant to 28 U.S.C. §636(b)(1)(C), **physically on file** in the Office of the Clerk. The Objections **SHALL** be electronically filed and/or mailed to the Clerk's Office at P.O. Drawer 2300, Galveston, Texas

77553. Failure to file written objections within the prescribed time **SHALL** bar the Parties from attacking on appeal the factual findings and legal conclusions accepted by the District Judge, except upon grounds of plain error.

DONE at Galveston, Texas, this 1st day of September, 2006.



John R. Froeschner
United States Magistrate Judge